

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ELLEN GERHART, ELISE GERHART, ALEX LOTORTO and ELIZABETH GLUNT, Plaintiffs and Counterclaim Defendant	:	CIVIL ACTION NO. 1:17-cv-1726-YK
v.		:
ENERGY TRANSFER PARTNERS, <i>et al.</i> , Defendants and Counterclaimants	:	(Judge Kane)

**DEFENDANT NICHOLAS JOHNSON'S OBJECTIONS AND RESPONSES TO
PLAINTIFFS' FIRST SET OF INTERROGATORIES**

Defendant Nicholas Johnson ("Answering Defendant"), by and through his counsel, Siana Law, LLP, asserts the following Objections and Responses to Plaintiff's Interrogatories as follows:

INTERROGATORIES

1. Describe how you become engaged with any aspect of the Mariner East project.

OBJECTION: Answering Defendant objects to this Interrogatory to the extent that it is ambiguous and susceptible to more than one interpretation as the term "Mariner East project" is vague and undefined.

RESPONSE: Subject to and without waiving the above objection, and to the extent this Interrogatory is not objectionable, Answering Defendant was not engaged in the Mariner East project. Answering Defendant was engaged in the Mariner East II project to the extent that he engaged in a counter-propaganda effort.

2. List all of your employers, or entities for which you acted as an independent contractor, from 2016-2017.

OBJECTION: Answering Defendant objects to this Interrogatory to the extent that it seeks information that is not relevant to the claims or defenses asserted and/or is not proportional to the needs of the case.

RESPONSE: Subject to and without waiving the above objection, and to the extent this Interrogatory is not objectionable, Answering Defendant acted as an independent contractor for Cedar Fork Partners.

3. List all websites, social media, and any other internet content for which you have contributed content in 2016-2017.

OBJECTION: Answering Defendant objects to this Interrogatory to the extent that it seeks information that is not relevant to the claims or defenses asserted and/or is not proportional to the needs of the case. Answering Defendant further objects to this Interrogatory as it is overly broad.

RESPONSE: Subject to and without waiving the above objection, and to the extent this Interrogatory is not objectionable, Facebook and Black Badger Report.

4. List all authors of content for blackbadgerreport.com and the "PA Progress" Facebook page.

RESPONSE: Answering Defendant and Robert Rice.

5. Identify any and all individuals involved in the making of any videos posted to the PA Progress Facebook page.

RESPONSE: Answering Defendant, Robert Rice, and Roberto Bricchi.

6. Describe any and all contracts with Nick Johnson and any petroleum company, pipeline companies, or any other person or entity involved in any social media, traditional media or other media to produce and/or publish any content from 2015 to current in the United States.

OBJECTION: Answering Defendant objects to this Interrogatory to the extent that it seeks information that is not relevant to the claims or defenses asserted and/or is not proportional to the needs of the case. Answering Defendant further objects to this Interrogatory as it is overly broad.

7. Identify all sources of all content, including photos, videos, facts, or other information used to develop the videos released by Nick Johnson pertaining to any of the parties in this case or property owned by them.

RESPONSE: Sources of content published by Answering Defendant were taken directly from Elise Gerhart's personal Facebook page and the Camp White Pine Facebook page. Answering Defendant also utilized Roberto Bricchi as an actor and generic stock photos and screen shots of pipeline construction.

8. List the names and contact information for all sources of information utilized by you or by those in your employ – including independent contractors - including any and all trespassers, infiltrators, or other sources of information.

OBJECTION: Answering Defendant objects to this Interrogatory as it is overly broad, unduly burdensome, and unlimited in time and scope. Answering Defendant further objects to this Interrogatory to the extent that it is confusing and lacks reasonable particularity.

RESPONSE: Subject to and without waiving these objections, and to the extent this Interrogatory is not objectionable, see Response to Interrogatory #8. Answering Defendant no longer has contact information for Roberto Bricchi.

9. List every alias used by you since January 1, 2015, including where you used each alias, including the use of each alias in any marketing, video, social media or other forum or area.

RESPONSE: Nate Clay, Nate Johnson, Niko Johnson, and Niko Badger.

Date: 7.20.21


SIANA LAW
By: 
Christopher P. Gerber, Esquire, I.D. #76449
Attorney for Defendants, *Nick Johnson*
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Chester Springs, PA 19425
(P): 610.321.5500
(F): 610.321.0505
cpgerber@sianalaw.com

VERIFICATION

I, Nicholas Johnson, depose and say that Defendant's Objections and Responses to Plaintiff's First Set of Interrogatories are true and correct to the best of my knowledge, information, and belief.

I understand that any false statements therein are subject to the criminal penalties contained in 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: 7-20-21



Nicholas Johnson

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ELLEN GERHART, ELISE	:	
GERHART, ALEX LOTORTO	:	
and ELIZABETH GLUNT,	:	
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Counterclaim Defendant	:	
	:	
v.	:	
	:	
ENERGY TRANSFER	:	
PARTNERS, <i>et al.</i> ,	:	(Judge Kane)
Defendants and	:	
Counterclaimants	:	
	:	

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this day a true and correct copy of Defendant Nicholas Johnson's Objections and Responses to Plaintiff's First Set of Interrogatories was served via email and addressed to the following:

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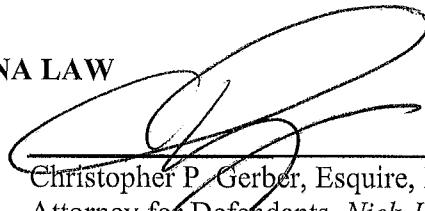
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Date: 7.20.21

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Defendants and	:	
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**DEFENDANT NICHOLAS JOHNSON'S OBJECTIONS AND RESPONSES TO
PLAINTIFFS' REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendant Nicholas Johnson ("Answering Defendant"), by and through his counsel, Siana Law, LLP, asserts the following Objections and Responses to Plaintiffs' Request for Production of Documents as follows:

REQUESTS

1. Any document identified in your answers to interrogatories.

RESPONSE: See attached documents Bates Stamped as NJ000001-NJ000007.

2. Any and all documents which memorialize any payments made to you or to any entity associated with you for any internet content concerning the Gerharts.

RESPONSE: See attached documents Bates Stamped as NJ000006- NJ000007.

3. All financial records memorializing payments made to you for any work pertaining in any way to any pipeline since January 1, 2015.

OBJECTION: Answering Defendant objects to this Request to the extent that it seeks information that is not relevant to the claims or defenses asserted and/or is not proportional to the needs of the case.

4. All travel records associated with Nick Johnson or any company, agent or representative of Nick Johnson concerning the Gerhart property.

RESPONSE: None. Answering Defendant has never traveled to the Gerhart property.

5. Any and all documents, including but not limited to communications, contracts, phone records, text messages, or emails, between Nick Johnson and any actors presenting anything on any media release, including but not limited to Roberto Bricchi from Chapel Hill, North Carolina.

OBJECTION: Answering Defendant objects to this Request to the extent that it seeks information that is not relevant to the claims or defenses asserted and/or is not proportional to the needs of the case. Answering Defendant further objects to this Request as it is overly broad and unlimited in time and scope.

6. Any and all documents sent to you by Shane Ryan, reporter at pastemagazine.com, or sent by you to him, concerning the Mariner East Pipeline or any plaintiff.

RESPONSE: See attached documents Bates Stamped as NJ000001-NJ000005.

7. Any documents exchanged with or provided to or by Grant Stewart concerning the Mariner East Pipeline or any plaintiff.

RESPONSE: None. Answering Defendant has not communicated with the individual referenced in this Request.

8. Any documents exchanged with or provided to or by Joshua Andrews concerning the Mariner East Pipeline or any plaintiff.

RESPONSE: None. Answering Defendant has not communicated with the individual referenced in this Request.

9. Any documents exchanged with Allie Patrick or anyone using that name as an alias concerning the Mariner East Pipeline, any plaintiff or anyone in Huntingdon County, Pennsylvania.

RESPONSE: None. Answering Defendant has not communicated with the individual referenced in this Request.

10. Any documents exchanged with or provided to or by any law enforcement agency, including the name of any law enforcement representative concerning the Mariner East Pipeline or any plaintiff.

RESPONSE: None. Answering Defendant has never corresponded with any law enforcement representative concerning the Mariner East Pipeline or any plaintiff.

11. Any documents exchanged with or provided to or by any private security firm, including the name of any private security representative concerning the Mariner East Pipeline or any plaintiff.

OBJECTION: Answering Defendant objects to this Request to the extent that it seeks information that is not relevant and/or not proportional to the needs of the case.

12. Any documents pertaining to the man identified as Banjo Bob in the video posted on the PA Progress Facebook Page concerning the Gerhart property.

RESPONSE: None.

13. All documents and information about pipelines in Louisiana.

OBJECTION: Answering Defendant objects to this Request as it is overly broad, unduly burdensome, and unlimited in time and scope. Answering Defendant further objects to this Request to the extent that it seeks information that is not relevant and/or not proportional to the needs of the case. Further, Answering Defendant objects to this Request to the extent that it seeks information that is not in the possession of Answering Defendant.

Date: 7.20.21

By:

SIANA LAW

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VERIFICATION

I, Nicholas Johnson, depose and say that Defendant's Objections and Responses to Plaintiff's Request for Production of Documents are true and correct to the best of my knowledge, information, and belief.

I understand that any false statements therein are subject to the criminal penalties contained in 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: 7-20-21



Nicholas Johnson

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	:	

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this day a true and correct copy of Defendant Nicholas Johnson's Objections and Responses to Plaintiff's Request for Production of Documents was served via email, and addressed to the following:

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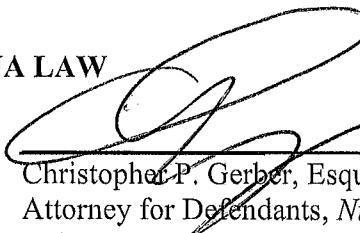
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Date: 7/20/24

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From: chris@homesnacks.net
Date: September 4, 2017 at 6:11:11 PM EDT
To: chris@homesnacks.net, "Shane Ryan" <shane@pastemagazine.com>, nick@homesnacks.net
Subject: Re: Note from Paste Politics

Excuse the typo in my previous email. It should read:

Chasing Chains LLC has no relation to the story you contemplate in your email (regardless of the veracity of the story) and that any suggestion to the contrary would be defamatory.

Chris

----- Original Message -----

From: "Shane Ryan" <shane@pastemagazine.com>, <chris@homesnacks.net>, <nick@homesnacks.net>
To: chris@homesnacks.net
Cc:
Sent: Mon, 04 Sep 2017 15:08:22 -0700
Subject: Re: Note from Paste Politics

Hi Shane,

Thanks for reaching out before publishing your story.

Chasing Chains LLC has no relation to the story you contemplate in your email (regardless of the veracity of the story) and that any suggestion to the contrarily would be defamatory.

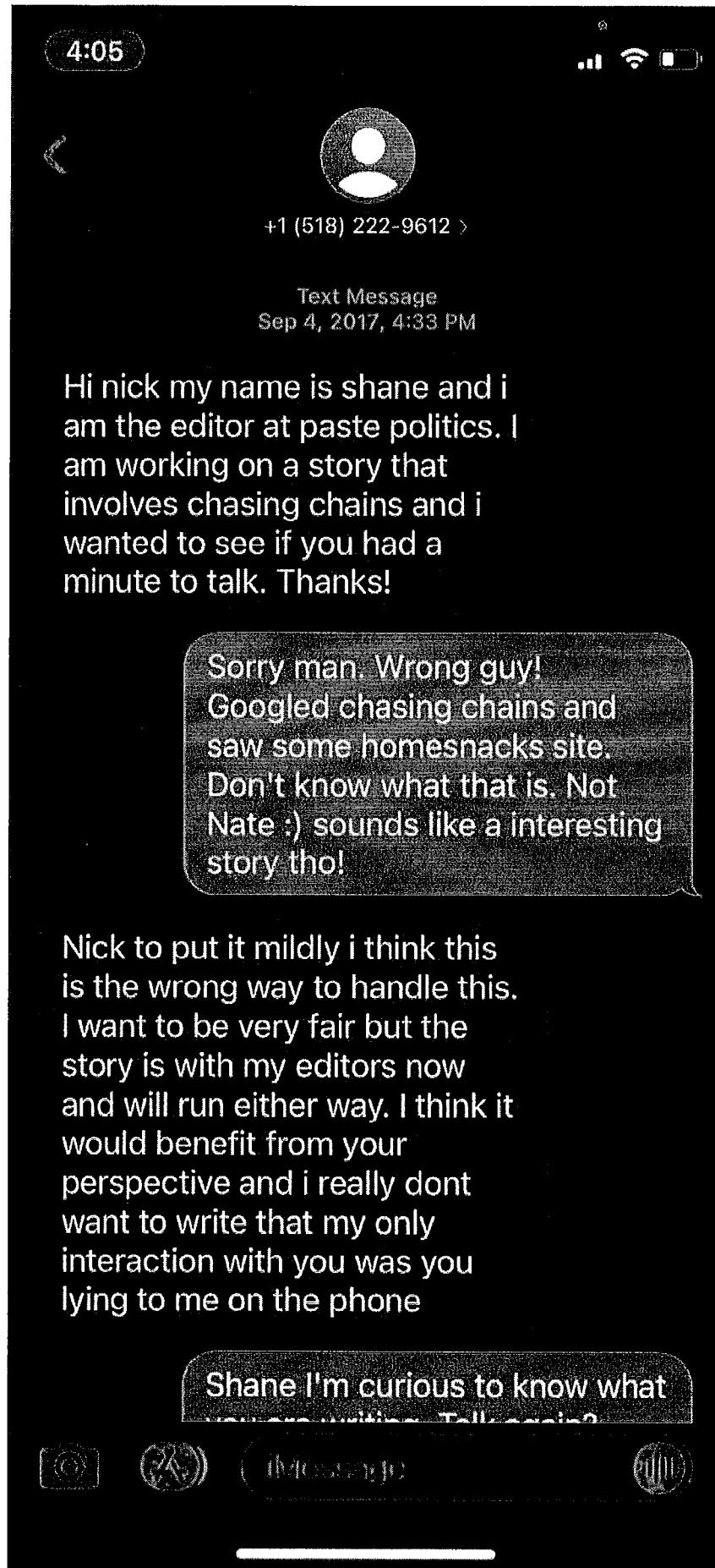
Chris

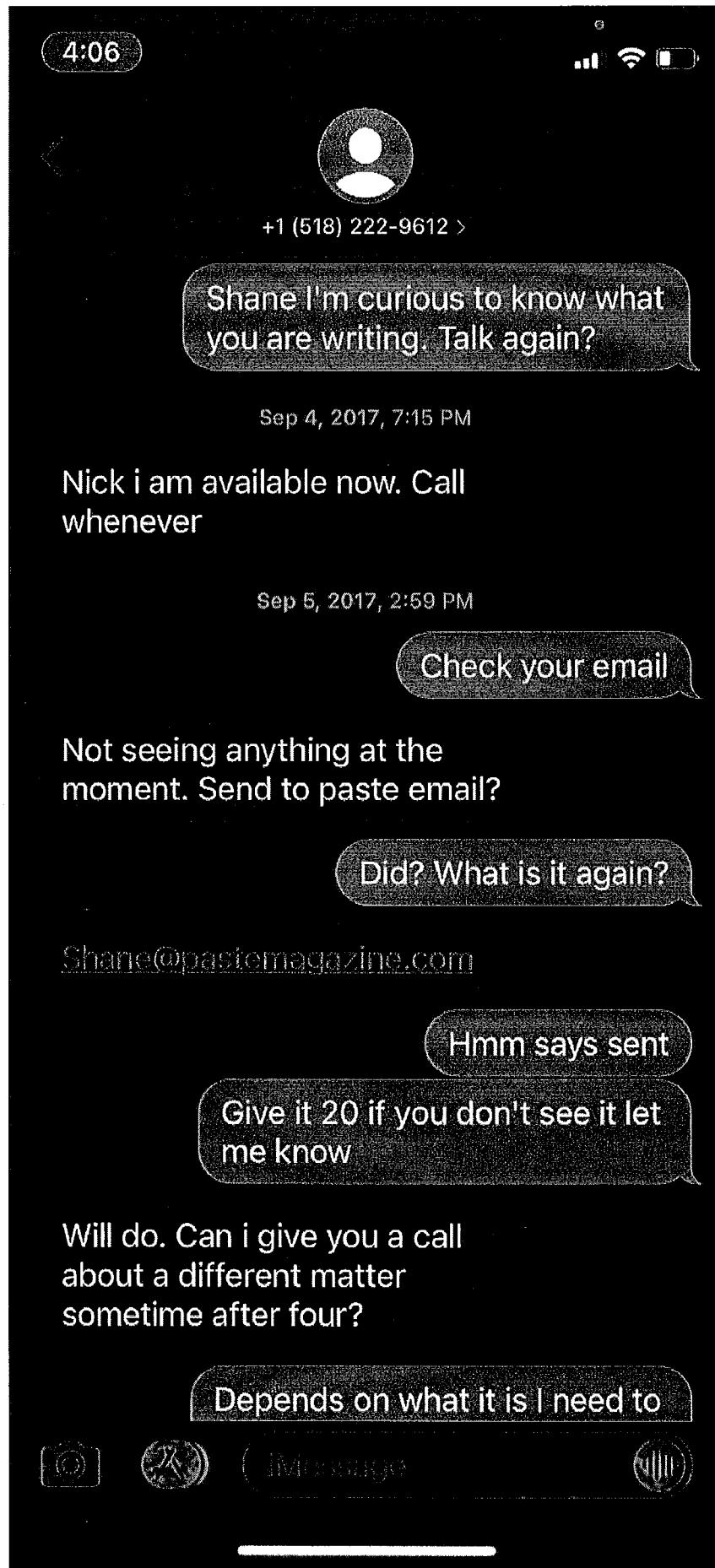
----- Original Message -----

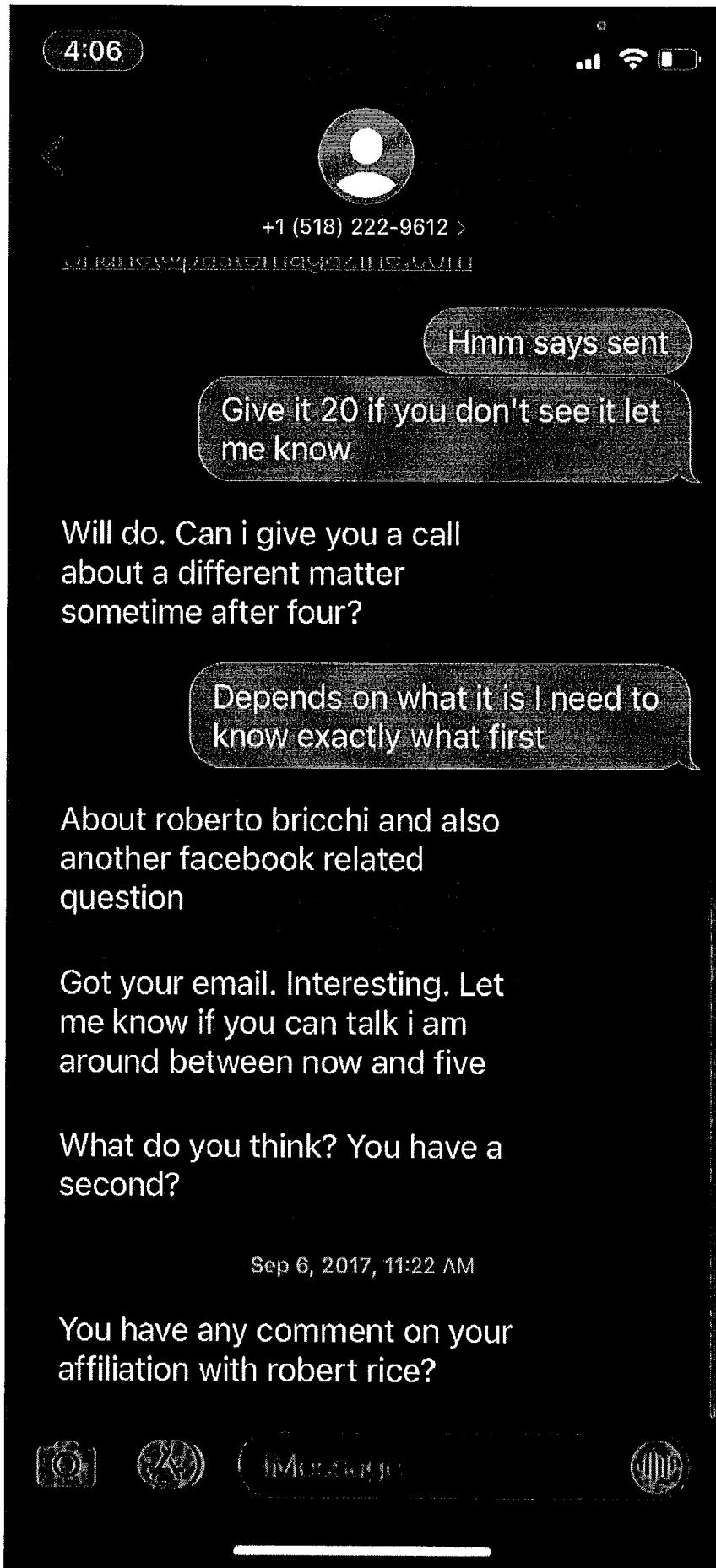
From: "Shane Ryan" <shane@pastemagazine.com>
To: <chris@homesnacks.net>, <nick@homesnacks.net>
Cc:
Sent: Mon, 4 Sep 2017 17:08:53 -0400
Subject: Note from Paste Politics

Chris, Nate—

As I mentioned in texts/phone call, I wanted to speak with one or both of you regarding the video project on the Bayou Bridge Pipeline. A few sources within the acting community have been in touch with me regarding communication they had with a man either as either "Nate Johnson" or "Nate Clay," both the same person (one is a facebook identity, one is an email identity), both concerned with the same project. Both of them have Nick's phone #. Also, there's this post from Nate Johnson's facebook account in 2014 which confirms that Nate/Nick are the same:









Capture Date: 06/30/2017 Sequence #: 252189539

WELLS FARGO BANK

CHAPEL HILL UNIVERSITY 120 SESTES DR CHAPEL HILL NC 27514

DATE 8/24/17

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8621530

PAY TO THE ORDER OF Nick Johnson \$ 12,586.00
bank of America and five hundred and eighty six and 00/100 DOLLARS

CEDAR FORK PARTNERS LLC
886 CEDAR FORK TRL
CHAPEL HILL NC 27514-1702

2017 July Service of Expenses

Let Q. 1002

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ENDOSSEMENT

DATA: 06/30/2017 02:37:19:50
REF ID: 1005300024918044785781111018
BANK: BANK OF AMERICA, NA

Printed 8/22/2017
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